

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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USCA Docket Number:

USDC Docket Number : 04-cv-12316

Kevin P. Loughman

v.

Maura Mahoney, et al

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**CLERK'S CERTIFICATE**

I, Sarah A Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents as indicated on the certified copy of the docket and contained in Volume(s) I are the original pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 12/5/05.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on December 21, 2005.

Sarah A. Thornton, Clerk of Court

By: 

Jeanette Ramos, Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 12/21/05.

  
Deputy Clerk, US Court of Appeals

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Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: \_\_\_\_\_

APPEAL

**United States District Court  
District of Massachusetts (Boston)  
CIVIL DOCKET FOR CASE #: 1:04-cv-12316-WGY**

Loughman v. Mahoney et al  
Assigned to: Chief Judge William G. Young  
Cause: 28:1332 Diversity-Libel, Assault, Slander

Date Filed: 11/01/2004  
Jury Demand: Plaintiff  
Nature of Suit: 320 Assault Libel &  
Slander  
Jurisdiction: Diversity

**Plaintiff**

**Kevin P. Loughman**

represented by **Kevin P. Loughman**  
#4 Marrigan Street  
Arlington, MA 02474  
781-641-2756  
PRO SE

V.

**Defendant**

**Maura Mahoney**  
*A Citizen of the State of Florida In Her  
Capacity as Security Services Manager,  
Lotus Development Corporation*

represented by **David Bliss Wilson**  
Robinson & Cole, LLP  
One Boston Place  
25th Floor  
Boston, MA 02108-4404  
617-557-5935  
Fax: 617-557-5999  
Email: DWilson@rc.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Jean A. Musiker**  
Sugarman, Rogers, Barshak & Cohen  
101 Merrimac Street  
9th Floor  
Boston, MA 02114  
617-227-3030  
Fax: 617-523-4001  
Email: musiker@srbc.com  
**TERMINATED: 08/29/2005**  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Maura Feeley**  
*a Citizen of the Commonwealth of*

represented by **Jean A. Musiker**  
(See above for address)

*Massachusetts In Her Capacity as  
 Assistant District Manager, First  
 Security Services Corporation  
 TERMINATED: 02/23/2005*

*TERMINATED: 08/29/2005  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED*

**Defendant**

**Lotus Development Corporation**  
*A Subsidiary of IBM Corporation,  
 Armonk & While Plains, New York*

represented by **David Bliss Wilson**  
 (See above for address)  
**LEAD ATTORNEY**

**Defendant**

**First Security Services Corporation**  
*A subsidiary of Pinkerton's/U.S.A., Inc.,  
 Westlake Village, California  
 TERMINATED: 02/09/2005*

represented by **Jean A. Musiker**  
 (See above for address)  
*TERMINATED: 08/29/2005  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
11/01/2004	<u>1</u>	COMPLAINT against Maura Feeley, First Security Services Corporation, Lotus Development Corporation, Maura Mahoney Filing fee: \$ 150, receipt number 59735, filed by Kevin P. Loughman. (Attachments: # <u>1</u> Civil Cover Sheet # <u>2</u> )(Boyce, Kathy) (Entered: 11/03/2004)
11/01/2004	<u>2</u>	If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Alexander (Boyce, Kathy) (Entered: 11/03/2004)
11/01/2004	<u>3</u>	Summons Issued as to Maura Feeley, First Security Services Corporation, Lotus Development Corporation, Maura Mahoney (Boyce, Kathy) (Entered: 11/03/2004)
12/15/2004	<u>2</u>	MOTION for a 90 Day Continuance by Kevin P. Loughman.(Bell, Marie) (Entered: 12/15/2004)
12/16/2004	<u>3</u>	Judge William G. Young : ELECTRONIC ORDER entered re: <u>2</u> Motion For 90 Day Continuance. MOTION ALLOWED TO THE EXTENT OF CONTINUING THE INITIAL CASE MANAGEMENT SCHEDUING CONFERENCE TO A DATE NOT SOONER THAN 90 DAYS FROM THE DATE OF THIS ORDER. MOTION OTHERWISE DENIED AS MOOT. cc/cl. (Bell, Marie) (Entered: 12/17/2004)
12/20/2004	<u>3</u>	NOTICE of Appearance by Shireen G. Arani, Jean A. Musiker on behalf of Maura Feeley, First Security Services Corporation, Maura Mahoney (Smith, Bonnie) (Entered: 12/22/2004)
12/20/2004	<u>4</u>	MOTION to Stay by Maura Feeley, First Security Services Corporation, Maura Mahoney.(Smith, Bonnie) (Entered: 12/22/2004)
12/20/2004	<u>5</u>	AFFIDAVIT in Support re <u>4</u> MOTION to Stay. (Smith, Bonnie)

		(Entered: 12/22/2004)
12/20/2004	<u>6</u>	CORPORATE DISCLOSURE STATEMENT by Maura Feeley, First Security Services Corporation, Maura Mahoney. (Smith, Bonnie) (Entered: 12/22/2004)
12/22/2004	●	Judge William G. Young : ELECTRONIC ORDER entered granting <u>4</u> Motion to Stay (Smith, Bonnie) (Entered: 12/22/2004)
12/22/2004	<u>7</u>	Judge William G. Young : ORDER FOR CLOSURE entered (Smith, Bonnie) (Entered: 12/22/2004)
12/22/2004	●	Civil Case Terminated. (Smith, Bonnie) (Entered: 12/22/2004)
12/28/2004	<u>8</u>	Letter from Mr. D. Lawrence, Consultant Cardiothoracic Surgeon re: Kevin P. Loughman medical condition. (Bell, Marie) (Entered: 12/29/2004)
01/04/2005	<u>9</u>	NOTICE of Appearance by David Bliss Wilson on behalf of Maura Mahoney, Lotus Development Corporation (Wilson, David) (Entered: 01/04/2005)
01/11/2005	<u>10</u>	MOTION to Reopen Case by Kevin P. Loughman. c/s.(Bell, Marie) (Entered: 01/12/2005)
01/31/2005	●	Judge William G. Young : Electronic ORDER entered granting <u>10</u> Motion to Reopen Case. cc/cl. (Bell, Marie) (Entered: 01/31/2005)
02/07/2005	<u>11</u>	NOTICE of Voluntary Dismissal with respect to Defendant Maura Mahoney and and Defendant First Security Services only by Kevin P. Loughman (Bell, Marie) (Entered: 02/09/2005)
02/23/2005	●	Maura Mahoney terminated in error. (Bell, Marie) Maura Feeley Terminated as of 2/9/05. (Entered: 02/23/2005)
07/19/2005	●	NOTICE of Hearing: Status Conference set for 9/19/2005 02:00 PM in Courtroom 18 before Chief Judge William G. Young. (Smith, Bonnie) (Entered: 07/19/2005)
07/28/2005	●	Notice of correction to docket made by Court staff. Attorney David Wilson's record updated to receive e-mail notices. (Hurley, Virginia) (Entered: 07/28/2005)
08/24/2005	●	NOTICE OF RESCHEDULING Status Conference reset for TUESDAY 9/27/2005 02:00 PM in Courtroom 18 before Chief Judge William G. Young. (Smith, Bonnie) (Entered: 08/24/2005)
09/07/2005	<u>12</u>	First MOTION to Dismiss <i>Complaint under 12(b)(6)</i> by Maura Mahoney, Lotus Development Corporation. (Attachments: # <u>1</u> )(Wilson, David) (Entered: 09/07/2005)
09/14/2005	●	NOTICE of Hearing on Motion <u>12</u> First MOTION to Dismiss <i>Complaint under 12(b)(6)</i> : Motion Hearing set for 10/17/2005 02:00 PM in Courtroom 18 before Chief Judge William G. Young. (Smith, Bonnie) (Entered: 09/14/2005)



09/14/2005	●	Notice of correction to docket made by Court staff. Correction: Notice of Hearing corrected because: Motion Hearing is set for 10/26/05 at 2 pm NOT 10/17/05. (Bell, Marie) (Entered: 09/14/2005)
09/14/2005	●	Reset Hearing as to <u>12</u> First MOTION to Dismiss <i>Complaint under 12(b)(6)</i> . Motion Hearing set for 10/26/2005 02:00 PM before Chief Judge William G. Young. (Bell, Marie) (Entered: 09/14/2005)
09/19/2005	●	Notice Resetting Status Conference. In light of the setting of a hearing on the Motion to Dismiss, the Status Conference has been rescheduled to the time of the Motion hearing on Wed. 10/26/05 @ 2PM. Nobody needs to come Tuesday Sept. 27, 2005 (Smith, Bonnie) (Entered: 09/19/2005)
09/19/2005	● <u>13</u>	Letter from Kevin P. Loughman to David Bliss Wilson, Esq.. (Bell, Marie) (Entered: 09/21/2005)
09/20/2005	● <u>14</u>	MOTION for Extension of Time to File Response as to <u>12</u> First MOTION to Dismiss <i>Complaint under 12(b)(6)</i> by Kevin P. Loughman. c/s. (Attachments: # <u>1</u> Exhibit A)(Bell, Marie) (Entered: 09/21/2005)
09/22/2005	●	Judge William G. Young : ElectronicORDER entered granting <u>14</u> Motion for Extension of Time to File Response/Reply re <u>12</u> First MOTION to Dismiss <i>Complaint under 12(b)(6)</i> Responses due by 9/30/2005, cc/cl. (Bell, Marie) (Entered: 09/22/2005)
09/27/2005	● <u>15</u>	MEMORANDUM in Opposition re <u>12</u> First MOTION to Dismiss <i>Complaint under 12(b)(6)</i> filed by Kevin P. Loughman. c/s. (Bell, Marie) (Entered: 09/28/2005)
09/27/2005	● <u>16</u>	APPENDIX "A" by Kevin P. Loughman. (Bell, Marie) (Entered: 09/28/2005)
09/27/2005	● <u>17</u>	APPENDIX "B" by Kevin P. Loughman. (Bell, Marie) (Entered: 09/28/2005)
09/27/2005	● <u>18</u>	Letter from Kevin P. Loughman. (Attachments: # <u>1</u> EXHIBITS# <u>2</u> Exhibit A)(Bell, Marie) (Entered: 09/28/2005)
09/29/2005	●	NOTICE re <u>12</u> First MOTION to Dismiss <i>Complaint under 12(b)(6)</i> The hearing will take place at: BOSTON COLLEGE LAW SCHOOL, 885 CENTRE ST., EAST WING, RM. 115, NEWTON, MA.(Smith, Bonnie) (Entered: 09/29/2005)
10/24/2005	● <u>19</u>	Letter to Counselors from Kevin P. Loughman re: the observance of religious holidays. (Patch, Christine) (Entered: 10/26/2005)
10/26/2005	●	ElectronicClerk's Notes for proceedings held before Judge William G. Young : Motion Hearing held on 10/26/2005 re <u>12</u> First MOTION to Dismiss <i>Complaint under 12(b)(6)</i> filed by Maura Mahoney,, Lotus Development Corporation,.The Court inquires of plaintiff if he is going to get an attorney and explains the complexities of representing oneself. Plaintiff informs the Court that he understands the complexities and wishes to continue to represent himself. After hearing the Court Allows the Motion to Dismiss. (Court Reporter Womack.) (Smith, Bonnie)

		(Entered: 10/27/2005)
10/27/2005	<u>20</u>	Judge William G. Young : ORDER entered. ORDER DISMISSING CASE(Smith, Bonnie) (Entered: 10/27/2005)
11/04/2005	<u>21</u>	MOTION for Reconsideration re <u>20</u> Order Dismissing Case by Kevin P. Loughman. c/s.(Bell, Marie) (Entered: 11/10/2005)
11/15/2005		Judge William G. Young : Electronic ORDER entered denying <u>21</u> Motion for Reconsideration re <u>20</u> Order Dismissing Case. cc/cl. (Bell, Marie) (Entered: 11/15/2005)
12/05/2005	<u>22</u>	NOTICE OF APPEAL as to Order on Motion for Reconsideration, <u>20</u> Order Dismissing Case by Kevin P. Loughman. \$ 255 NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at <a href="http://www.ca1.uscourts.gov/clerks/transcript.htm">http://www.ca1.uscourts.gov/clerks/transcript.htm</a> MUST be completed and submitted to the Court of Appeals. cc/cl. Appeal Record due by 12/27/2005. (Attachments: # <u>1</u> Exhibits)(Bell, Marie) (Entered: 12/06/2005)
12/07/2005	<u>23</u>	TRANSCRIPT of Proceedings held on 10/26/05 before Judge YOUNG. Court Reporter: WOMACK. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter or the Clerk's Office. (Smith, Bonnie) (Entered: 12/07/2005)